UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK
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In re: Case No. 16-43823 (CEC)

Hon. Carla E. Craig

ADAM DEVELOPERS ENTERPRISES, INC.,

Debtor.
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**ORDER GRANTING THE MOTION OF THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR A DETERMINATION THAT THE AUTOMATIC STAY DOES NOT APPLY TO THE STATE CONTRACT, OR, IN THE ALTERNATIVE, FOR RELIEF FROM THE AUTOMATIC STAY**

Upon consideration of the motion dated November 23, 2016 ("Motion") of the New York State Office of Parks, Recreation and Historic Preservation ("Parks'), and the declaration of Stephen McCorkell ("Declaration") in support thereof, for entry of an order determining that the automatic stay does not apply to a contract between Adam Developers Enterprises, Inc. ("Debtor") and Parks, executed on August 25, 2015 ("State Contract"), because Parks terminated the State Contract prior to the commencement of this bankruptcy case, or, in the alternative, for relief from the automatic stay to terminate the State Contract for cause under 11 U.S.C. § 362(d)(1), and upon the reply in further support of Parks' Motion ("Reply"), dated December 30, 2016, and upon the affidavits of service of the Motion, Declaration and Reply; and upon consideration of the response, dated December 23, 2016, filed by the Debtor; and after oral argument held on January 4, 2017; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all prior pleadings, and after due deliberation and sufficient cause appearing therefor, it is hereby:

ORDERED, ADJUDGED AND DECREED that:

1. The Motion is granted to the extent provided herein.

2. Parks terminated the State Contract by letter dated August 23, 2016, prior to the Debtor's commencement of its bankruptcy case by filing a chapter 11 petition on August 24, 2016 ("Petition Date").

3. The automatic stay provided in 11 U.S.C. § 362(a) does not apply to the State Contract because it was terminated before the Petition Date and is not property of the Debtor's estate.

**Dated: Brooklyn, New York**
**January 12, 2017**

**Carla E. Craig**
**United States Bankruptcy Judge**